

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:23-cv-383-FDW
3:17-cr-134-FDW-SCR-50**

ROBERT ALLEN MCCLINTON,)
)
 Petitioner,)
)
vs.)
)
UNITED STATES OF AMERICA,)
)
 Respondent.)

)

ORDER

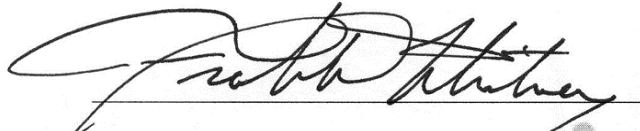
THIS MATTER is before the Court on Petitioner’s pro se Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct a Sentence by a Person in Federal Custody [Doc. 1].


The instant § 2255 Motion to Vacate was docketed on June 26, 2023. Petitioner asserts claims of substantive error and ineffective assistance of counsel. However, the § 2255 Motion to Vacate is not verified (signed under penalty of perjury). See Rule 2(b)(5), 28 U.S.C. foll. § 2255; 28 U.S.C. § 1746. Petitioner shall, within fourteen (14) days of this Order, verify the § 2255 Motion to Vacate [Doc. 1] using the Verification form supplied with this Order. Petitioner is cautioned that failure to comply with this Order will likely result in dismissal of this case without further notice.

IT IS, THEREFORE, ORDERED that Petitioner shall, within **fourteen (14) days** of this Order, verify the Motion to Vacate [Doc. 1] using the Verification form attached to this Order. Petitioner is cautioned that failure to comply with this Order will likely result in this case’s dismissal without further notice.

The Clerk of Court is respectfully instructed to mail Petitioner a copy of this Order and the attached Verification form.

Signed: July 6, 2023


Frank D. Whitney
United States District Judge



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ROBERT ALLEN MCCLINTON,)	
)	
Petitioner,)	
)	
vs.)	
)	
UNITED STATES OF AMERICA,)	<u>VERIFICATION</u>
)	
Respondent.)	
_____)	

Pursuant to Rule 2(b)(5) of the Rules Governing § 2255 Proceedings, I declare (or certify, verify, or state) under penalty of perjury that the § 2255 Motion to Vacate [Doc. 1], which I failed to verify, is true and correct.

Robert Allen McClinton

Executed on (Date)